

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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SECURITIES AND EXCHANGE COMMISSION :

*Plaintiff,* :

vs. :

Case No. 1:10-CV-457  
(GLS/CFH)

McGINN, SMITH & CO., INC., :  
McGINN, SMITH ADVISORS, LLC :  
McGINN, SMITH CAPITAL HOLDINGS CORP., :  
FIRST ADVISORY INCOME NOTES, LLC, :  
FIRST EXCELSIOR INCOME NOTES, LLC, :  
FIRST INDEPENDENT INCOME NOTES, LLC, :  
THIRD ALBANY INCOME NOTES, LLC, :  
TIMOTHY M. MCGINN, AND :  
DAVID L. SMITH, GEOFFREY R. SMITH, :  
Individually and as Trustee of the David L. and :  
Lynn A. Smith Irrevocable Trust U/A 8/04/04, :  
LAUREN T. SMITH, and NANCY MCGINN, :

*Defendants,* :

LYNN A. SMITH and :  
NANCY MCGINN, :

*Relief Defendants. and* :

GEOFFREY R. SMITH, Trustee of the :  
David L. and Lynn A. Smith Irrevocable :  
Trust U/A 8/04/04, :

*Intervenor.* :

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**NOTICE OF FILING OF SIXTH PAYMENT SCHEDULE  
OF SECOND INVESTOR DISTRIBUTION  
(Collateral Recovery Investors)**

PLEASE TAKE NOTICE that on October 30, 2020, William J. Brown, as Receiver, filed the attached McGinn, Smith & Co. Inc. - Sixth Payment Schedule of Second Investor Distribution (Collateral Recovery Investors), pursuant to the Approved Plan of Distribution of Estate Assets.

In accordance with the Plan, Payment Schedules of Second Investor Distributions (Collateral Recovery Investors) will continue to be filed on a rolling basis. The attached Payment Schedule reports the claim numbers and amount to be paid as a second distribution to the holders of the listed claim numbers, which amount has been rounded to the nearest whole dollar in accordance with Section 12 of the Plan.

Dated: October 30, 2020

PHILLIPS LYTTLE LLP

By /s/ Catherine N. Eisenhut  
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Doc #9154014.6

**McGinn Smith & Co. Inc. - Sixth Payment Schedule of SECOND Investor Distributions (Collateral Recovery Investors)**

**October 30, 2020**

<i>Claim #</i>	<i>Description of Investment</i>	<i>Amount of Investment (100%)</i>	<i>Amount of Second Distribution*</i>
5065A	FEIN Secured Senior Subordinated Notes Due 01/30/2009	\$ 15,000.00	<i>(See amount below)</i>
5066A	FIIN Secured Senior Subordinated Notes Due 12/15/2008	\$105,000.00	<i>(See amount below)</i>
5067A	Firstline Trust 07B Senior Contract Certificates 9.50% Due 10/01/11	\$ 12,415.17	<i>(See amount below)</i>
5068A	Integrated Excellence Sr. Trust 08	\$ 6,836.50	<i>(See amount below)</i>
5069A	TDMM Cable Sr. Trust 09 9%	\$ 7,793.26	<i>(See amount below)</i>
5070A	TAIN Secured Senior Notes	\$118,212.72	\$21,069.28
5071A	TDM Verifier Trust 08 Contract Certificate 36	\$ 55,000.00	<i>(See amount below)</i>
5072A	TDMM Cable Sr. Trust 09 9%	\$ 7,793.26	\$ 6,248.34
5079A	TDMM Cable Sr. Trust 09 9%	\$ 77,932.60	\$ 7,085.69
5090A	FAIN Secured Senior Notes	\$ 68,996.51	<i>See amount below</i>
5091A	TAIN Secured Senior Notes	\$ 22,733.21	<i>See amount below</i>
5092A	TAIN Secured Senior Notes	\$ 63,653.00	\$12,607.22
5093A	FAIN 10.25% Secured Junior Notes Due 11/15/2010	\$ 15,000.00	<i>See amount below</i>
5094A	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 25,000.00	<i>See amount below</i>
5095A	FIIN 10.25% Secured Junior Notes Due 12/15/2008	\$ 40,000.00	<i>See amount below</i>
5096A	Firstline Trust 07B Junior Contract Certificates 11% Due 10/01/12	\$ 11,903.53	<i>See amount below</i>
5097A	Firstline Trust 07B Junior Contract Certificates 11% Due 10/01/12	\$ 15,871.38	<i>See amount below</i>
5098A	TAIN Secured Junior Notes Due 12/15/2009	\$ 75,000.00	<i>See amount below</i>

\* If the Amount of Second Distribution is a negative number indicated by (\$xxx) in parenthesis, then the negative amount will be a further charge when final distributions are made.

<i>Claim #</i>	<i>Description of Investment</i>	<i>Amount of Investment (100%)</i>	<i>Amount of Second Distribution*</i>
5099A	TAIN Secured Senior Subordinated Notes 7.75% Due 12/15/2009	\$ 5,000.00	\$13,896.88
5101A	FAIN 10.25% Secured Junior Notes Due 11/15/2010	\$ 10,000.00	<i>See amount below</i>
5102A	FAIN 10.25% Secured Junior Notes Due 11/15/2010	\$ 50,000.00	<i>See amount below</i>
5103A	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 10,000.00	<i>See amount below</i>
5104A	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 10,000.00	<i>See amount below</i>
5105A	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 10,000.00	<i>See amount below</i>
5106A	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 25,000.00	<i>See amount below</i>
5107A	FIIN 10.25% Secured Junior Notes Due 12/15/2008	\$ 25,000.00	<i>See amount below</i>
5108A	TAIN Secured Junior Notes Due 12/15/2009	\$ 25,000.00	\$14,747.82
5116A	FAIN 10.25% Secured Junior Notes Due 11/15/2010	\$ 10,000.00	<i>See amount below</i>
5117A	FAIN 10.25% Secured Junior Notes Due 11/15/2010	\$ 50,000.00	<i>See amount below</i>
5118A	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 10,000.00	<i>See amount below</i>
5119A	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 10,000.00	<i>See amount below</i>
5120A	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 10,000.00	<i>See amount below</i>
5121A	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 25,000.00	<i>See amount below</i>
5122A	FIIN 10.25% Secured Junior Notes Due 12/15/2008	\$ 25,000.00	\$12,491.09
5125A	FAIN 10.25% Secured Junior Notes Due 11/15/2010	\$ 14,000.00	<i>See amount below</i>
5126A	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 20,000.00	<i>See amount below</i>
5127A	FEIN 10.25% Secured Junior Notes Due 01/30/2009	\$ 25,000.00	<i>See amount below</i>
5128A	FAIN Secured Senior Notes	\$ 9,199.54	<i>See amount below</i>

\* If the Amount of Second Distribution is a negative number indicated by (\$xxx) in parenthesis, then the negative amount will be a further charge when final distributions are made.

<i>Claim #</i>	<i>Description of Investment</i>	<i>Amount of Investment (100%)</i>	<i>Amount of Second Distribution*</i>
5129A	FAIN 10.25% Secured Junior Notes Due 11/15/2010	\$ 10,000.00	<i>See amount below</i>
5130A	FIIN 10.25% Secured Junior Notes Due 12/15/2008	\$ 35,000.00	\$10,552.30
5139A	FAIN Secured Senior Notes	\$ 78,196.05	<i>See amount below</i>
5140A	TAIN Secured Senior Notes	\$ 90,932.86	<i>See amount below</i>
5141A	FIIN Secured Senior Notes	\$ 18,186.57	<i>See amount below</i>
5142A	FIIN Secured Senior Notes	\$ 90,932.86	<i>See amount below</i>
5143A	FAIN Secured Senior Notes	\$363,381.66	<i>See amount below</i>
5144A	FIIN Secured Senior Subordinated Notes Due 12/15/2008	\$ 60,000.00	<i>See amount below</i>
5145A	TAIN Secured Senior Subordinated Notes 7.75% Due 12/15/2009	\$155,000.00	\$67,292.74
5310A	FAIN Secured Senior Subordinated Notes	\$ 15,000.00	<i>See amount below</i>
5311A	FIIN Secured Senior Notes	\$ 27,279.86	<i>See amount below</i>
5312A	FIIN Secured Senior Notes	\$ 81,839.57	<i>See amount below</i>
5313A	TDM Verifier Trust 11 Contract Certificates 9%	\$ 9,539.85	<i>See amount below</i>
5314A	TDM Verifier Trust 11 Contract Certificates 9%	\$ 9,539.85	<i>See amount below</i>
5315A	TDMM Cable Sr. Trust 09 9%	\$ 7,793.26	<i>See amount below</i>
5316A	FAIN Secured Senior Notes	\$ 9,199.54	\$14,480.49
5321A	TAIN Secured Senior Subordinated Notes 7.75% Due 12/15/2009	\$ 50,000.00	<i>See amount below</i>
5322A	TDMM Cable Sr. Trust 09 9%	\$ 7,793.26	\$ 3,771.09
5323A	FAIN Secured Senior Subordinated Notes	\$100,000.00	\$ 9,241.32

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\* If the Amount of Second Distribution is a negative number indicated by (\$xxx) in parenthesis, then the negative amount will be a further charge when final distributions are made.